

# **EEO-101-Construction Instructions**

### **Workforce Utilization Reporting Form for Construction Contractors and Subcontractors**

The New York State Office of General Services (OGS) is required to submit your contract workforce data to the New York State Empire State Development (ESD) Division of Minority and Women's Business Development office. To comply:

- Construction contractors and subcontractors must<sup>1</sup> submit this report monthly by the 10th of each month throughout the duration of a contract.
- Gross Wage data is only required to be reported on a quarterly basis commencing with the April 1, 2018 report. For more information about this requirement visit the ESD website at: https://esd.ny.gov/doingbusiness-ny/mwbe/mwbe-executive-order-162.

- Contractors should request each subcontractor used on a project to separately report its workforce.
- Contractors should not report on workers that are being reported by their subcontractors.
- If a contractor or subcontractor has no data for that month a report
  must still be submitted. Complete Section A, including the preparer's
  name, title, date; check the electronic signature attestation; and check
  box for no workforce utilization reporting.
- Use the Excel form EEO-101-Construction located on the OGS website at: https://ogs.ny.gov/mwbe/forms. Helpful tips & instructions are outlined in this document.

- "Save as" the Excel report file with the following naming convention: AgencyAcronym ContractNumber.xlsm
- Email the completed EEO-101-Construction form(s) to: EEO\_Construction@ogs.ny.gov

#### Need help?

Contact OGS at: 518-486-9284 or MWBE@ogs.ny.gov

Sample View of Form EEO-101-Construction

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In accordance with contract Article 26 Equal Employment Opportunity (EEO).



### Section A — EEO-101-Construction Instructions

#### Sample View of form EEO-101-Construction: Section A

Section A (Contractor/Sub	bcontractor Information)		
Reporting Entity	1 Contractor Subcontractor		
		6 Reporting Period - Select One	Preparer's Name: 8
Company Name	2	January February March	Preparer's Title:
Company Address		April May Dune	Date:
		July August September	
EIN / Vendor ID		October November December	By checking this box, I certify that I personally completed this document and I adopt the name typed above as my electronic signature under the NYS Electronic Signatures and Records Act, with like legal force and effect as if I had physically signed the document.
Project Location	3		physically signed the document.
Additional Locations	4	Workforce Identified in Report	10 Check this box if you are reporting that your firm had no workforce utilization for the reporting period.
Contract Number	5	Workforce Utilized in the Performance of this Contract	Grant district from the figure of the first state o
	<del></del>	Contractor/Subcontractor's Total Workforce	11 Check this box to request that the material included herein be withheld from disclosure pursuant to Article 6 of the Public Officers Law (Freedom of Information Law)

- 1 Reporting Entity: Check if you are reporting as the contractor or as a subcontractor. Contractors should request each subcontractor used on a project to separately report its workforce.
- 2 Company Name and Address: Type in the business name and address.
- **Project Location:** Select the county location of the project from the drop-down list.
- **Additional Locations:** If the project is in multiple locations, type in the name of all counties the project is located in.
- **5** Contract Number: Type in the contract number of the project being reporting on.
- **Reporting Period:** Contractors and subcontractors are required to report this data **monthly** by the 10th day of the month. Select the month you are reporting.
- Workforce Identified in Report:
  - Option 1: "Workforce Utilized in Performance of this Contract" Check this option if this report includes data only on employees who worked on this project.
  - Option 2: "Total Workforce" Check this option if you are unable to report data only on employees who worked on this contract. In this case, you must report data on your entire company workforce, regardless of whether or not all employees worked on this project.
- 8 Enter the preparer's name, title, and the date of preparation.
- 9 Check the box next to the electronic signature attestation.
- 10 Check the box if you are reporting that your firm had no workforce utilization data for the reporting period.
- 11 Check the box if you request that the material included herein be withheld from disclosure pursuant to Article 6 of the Public Officers Law (FOIL).



#### Section B — EEO-101-Construction Instructions

Sample View of form EEO-101-Construction Section B

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**Section B:** You are required to report on the **number of employees** and the **number of hours** worked by each race/ethnic identification. There are 25 drop-down rows in this section. If there are more than 25 entries, please submit an additional form.

- 1 Occupation Classifications (SOC Major Group): Select a classification from the drop-down list.
- SOC Job Title: Select a SOC Job Title from the drop-down list.
- **3 EEO Job Title:** Based on the SOC Job Title, the appropriate EEO Job Title automatically fills in; it is not necessary to manually enter the EEO Job Title.
- **SOC Job Code:** Based on steps 1 and 2 above, the appropriate SOC Job Code automatically fills in; it is not necessary to manually enter the SOC Job Code.
- **5** # Employees: Across each row, enter the total number of employees within that job category/title/code by each race/ethnic/gender group.
- **6 # Hours Worked:** Across each row, enter the total number of hours worked within that job category/title/code by each race/ethnic/gender group.
- Gross Wages: Enter the total gross wages paid for work on the identified Contract, to all employees for each job code and each gender and racial/ethnic group, identified in the Report. Contractors and subcontractors should report only gross wages for work on the contract paid to employees during the period covered by the Report. Gross wages are those reported by employers to employees on their wage statements.
- **Total # Employees, Hours Worked, and Gross Wages:** This row automatically tabulates totals of # employees, hours, and gross wages no need to enter any data in this row.

## **How to Submit:**

"Save as" the Excel report file with the following naming convention:

Agency Acronym\_ContractNumber.xlsm Example: OGS\_1234567.xlsm

- Send the report as an Excel document do not convert to a PDF or other file format.
- ✓ If a contractor or subcontractor has no data for that month, a report must still be submitted. Complete Section A; including the preparer's name, title, date; check the electronic signature attestation; and check box for no workforce utilization reporting.
- ✓ Contractors and subcontractors must submit an EEO-101-Construction form monthly by the 10th day of the month.
- ✓ Email to: EEO\_Construction@ogs.ny.gov